



DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket Number FSIS-2022-0009]

Siluriformes Fish *Salmonella* Sampling

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice.

SUMMARY: The Food Safety and Inspection Service (FSIS) is announcing that, starting **[INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**, it will suspend its current FSIS *Salmonella* sampling program for Siluriformes fish and fish products based on consumer cooking practices, lack of recent outbreaks attributed to Siluriformes fish, and low percent positives detected.

DATES: Submit comments on or before **[INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**. FSIS will suspend *Salmonella* sampling in domestic and imported Siluriformes fish and fish products on **[INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: FSIS invites interested persons to submit comments on this notice. Comments may be submitted by one of the following methods:

- Federal eRulemaking Portal: This website provides commenters the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier

comments. Go to <https://www.regulations.gov>. Follow the on-line instructions at that site for submitting comments.

- Mail: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250-3700.

- Hand- or courier-delivered submittals: Deliver to 1400 Independence Avenue SW, Jamie L. Whitten Building, Room 350-E, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2022-0009. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

Docket: For access to background documents or comments received, call (202) 720-5627 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250-3700.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development by telephone at (202) 205-0495.

SUPPLEMENTARY INFORMATION:

Background

On December 2, 2015, FSIS published the final rule, *Mandatory Inspection of Fish of the Order Siluriformes and*

Products Derived from Such Fish

(https://www.fsis.usda.gov/sites/default/files/media_file/2021-02/2008-0031F.pdf), that established a mandatory inspection program for Siluriformes fish and fish products. The final rule codified in regulations the provisions of the 2008 and 2014 Farm Bills, which amended the Federal Meat Inspection Act, making Siluriformes fish an amenable species under FSIS jurisdiction and inspection.

As discussed in the final rule (80 FR 75590, 75593), FSIS considered the public health implications presented by Siluriformes fish in developing the regulations. FSIS also published the "Assessment of the Potential Change in Human Health Risk associated with Applying Inspection to Fish of the order Siluriformes"

(https://www.fsis.usda.gov/sites/default/files/media_file/2021-02/Siluriformes-RA.pdf) that assessed the food safety risk associated with consuming Siluriformes fish in the United States. The purpose of the risk assessment was to provide predictions of the public health benefits (e.g., reduction in foodborne illnesses) that might accompany the implementation of a mandatory inspection system. The risk assessment identified *Salmonella* as a hazard of primary concern because: (1) It is the foodborne pathogen associated with Siluriformes fish (McCoy et. al., Journal of Food Protection 74(3):500-16, 2011); (2) there were more available data for assessing the risk of human illnesses associated with *Salmonella* and assessing the

effectiveness of an FSIS regulatory strategy for this hazard than other potential pathogens; (3) its occurrence in domestic processing facilities and retail catfish is documented; (4) its presence in Siluriformes fish imported to the United States is documented; and (5) Centers for Disease Control and Prevention identifies catfish as the vehicle associated with a 1991 outbreak of *Salmonella* Hadar.

In the final rule (80 FR 75590, 75607), FSIS announced that it would conduct sampling and testing of *Salmonella* in Siluriformes fish and fish products to determine the national baseline prevalence and levels of *Salmonella* on raw Siluriformes fish.

Current *Salmonella* Sampling Program, Results, and Conclusions

FSIS began testing domestic Siluriformes fish and fish products for *Salmonella* in May 2016 using the procedures outlined in FSIS Directive 14,010.1, *Speciation Residue and Salmonella Testing of Fish of the Order Siluriformes from Domestic Establishments* (<https://www.fsis.usda.gov/policy/fsis-directives/14010.1>) and began testing imported Siluriformes fish and fish products, using the procedures outlined in FSIS Directive 14,100.1, *Speciation, Residue, and Salmonella Testing of Fish of the Order Siluriformes at Official Import Inspection Establishments* (<https://www.fsis.usda.gov/policy/fsis-directives/14100.1>).

From May 2016 through the end of Fiscal Year 2020, FSIS collected and analyzed 3,970 samples of domestic and imported

Siluriformes fish and fish products for *Salmonella*. FSIS published a report, *Data Summary of Siluriformes Fish Testing: A Five-Year Review, FY 2016-2020*, that discusses the results of the data. The report can be found at:

https://www.fsis.usda.gov/sites/default/files/media_file/2022-03/SiluriformesFishDataSummaryReport_03292022.pdf.

As discussed in the report and shown in Table 1 (below), of the 3,970 samples of domestic and imported products tested, 80 samples tested positive for *Salmonella*. Domestic Siluriformes fish were an average of 3.53 percent positive for *Salmonella*, imported Siluriformes fish were an average of 0.32 percent positive for *Salmonella*.¹

Table 1. Results of testing for *Salmonella* in domestic vs. imported Siluriformes fish

	Positive	Negative	Total	% Pos
Domestic	74	2,023	2,097	3.53%
Import	6	1,867	1,873	0.32%
Total	80	3,890	3,970	2.02%

While *Salmonella* is present on Siluriformes fish, there is limited data to support Siluriformes fish attribution to any *Salmonella* illnesses or outbreaks, except for the 1991 outbreak identified in the risk assessment. Most Siluriformes fish are consumed fully cooked, which could explain the limited number of illnesses and outbreaks associated with this product. Based on

¹ The difference in the percent positive between imported and domestic may be attributed to imported Siluriformes fish typically being frozen, whereas domestic Siluriformes fish are typically fresh.

consumer cooking practices, lack of recent outbreaks attributed to Siluriformes fish, and low percent positives detected, FSIS has concluded that *Salmonella* does not pose a significant health hazard in Siluriformes fish. Given that *Salmonella* does not pose a significant health hazard in Siluriformes fish, FSIS intends to suspend its current *Salmonella* sampling in domestic and imported Siluriformes fish. FSIS will, however, continue to test Siluriformes fish for residues as part of our National Residue Program.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS website located at: <https://www.fsis.usda.gov/policy/federal-register-rulemaking/federal-register-notices>.

FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS *Constituent Update*, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS website. Through the website, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an e-mail subscription service which provides automatic and customized access to selected food safety news and information. This

service is available at:

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Paul Kiecker,
Administrator.

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